

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

JOHN W. MILLER,

Plaintiff,

-against-

APPLE, INC.,

Defendant.

25-CV-1172 (JPC) (RFT)

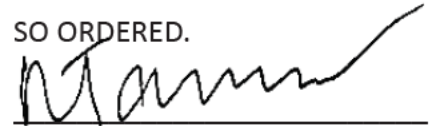
**ORDER**

**ROBYN F. TARNOFSKY, United States Magistrate Judge:**

Pending before the Court are motions to enforce a judgment (ECF 4) and for an evidentiary hearing and subpoena request (ECF 5). This case has been referred to the undersigned for general pretrial supervision as well as issuing reports and recommendations on dispositive motions. (ECF 6.) Neither of the pending motions may appropriately be considered until Defendant has been served with the summons and Complaint (ECF 1) and afforded an opportunity to respond. The Clerk of Court is respectfully requested to issue a summons. Plaintiff shall within 90 days of the date the summons is issued either 1) serve the summons on Defendant and file proof of service on the docket or 2) secure a valid waiver of service and file it on the docket. Failure to timely serve Defendant or secure a valid waiver of service may result in a report and recommendation to Judge Cronan that this case be dismissed pursuant to Rule 4(m) of the Federal Rules of Civil Procedure, which permits dismissal for failure to make timely service.

DATED: February 21, 2025  
New York, NY

SO ORDERED.



**ROBYN F. TARNOFSKY**  
United States Magistrate Judge